

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MELINDA CAMPEGGIO

v.

UPPER POTTS GROVE TOWNSHIP, et al.

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CIVIL ACTION

NO. 14-1286

ORDER

AND NOW, this 8th day of September, 2014, upon consideration of Plaintiff Melinda Campeggio's amended complaint (docket entry #17), Defendants Upper Pottsgrove Township, West Pottsgrove Township, Police Chief William Moffett, Police Chief Earl E. Swavely, Jr., Officer Jim Hummer, Officer Sean Farrell, and Corporal Brian Cass's partial motion to dismiss for failure to state a claim (docket entry #18), and Campeggio's response in opposition thereto, and based on the analysis set forth in the accompanying Memorandum, it is hereby ORDERED that:

1. Defendants' motion to dismiss the official capacity claims against Chief Moffett, Chief Swavely, Officer Farrell, Officer Hummer, and Corporal Cass is DENIED AS MOOT;
2. Plaintiff's claims as to Police Officers John Does #1-6 are DISMISSED;
3. Defendants' motion to dismiss Count I as to Corporal Cass is GRANTED;
4. Defendants' motion to dismiss Counts II, III and IV are GRANTED;
5. Defendants' motion to dismiss Count V as to Corporal Cass is GRANTED AS UNOPPOSED;
6. Defendants' motion to dismiss Count VI is GRANTED;
7. Defendants' motion to dismiss Count VII as to Corporal Cass is DENIED;
8. Defendants' motion to dismiss Counts IX and XI are GRANTED; and

9. Defendants shall ANSWER the Amended Complaint by noon on September 19, 2014.

BY THE COURT:


Stewart Dalzell, J.